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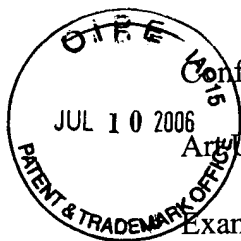
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Brines *et al.*

Application No.: 09/717,057

Filed: November 21, 2000

For: MODULATION OF EXCITABLE  
TISSUE FUNCTION BY  
PERIPHERALLY ADMINISTERED  
ERYTHROPOIETIN



Confirmation No.: 5119

Art. Unit: 1647

Examiner: DeBerry, Regina M.

Attorney Docket No.: 10165-010-999

**SUPPLEMENTAL INFORMATION DISCLOSURE**  
**STATEMENT UNDER 37 C.F.R. §1.56**

Commissioner for Patents P.O.  
Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the continuing duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application which are or may be material to the patentability of any claim of the application, Attorneys for Applicants hereby direct the Examiner's attention to references FL to FO listed on the attached revised form PTO-1449. This application is a divisional of U.S. Serial No. 09/547,220, filed April 11, 2000, which claims benefit of U.S. provisional application no. 60/118,030, filed April 13, 1999 (expired). A copy of each of the identified references is provided herewith.

Identification of the listed references are not to be construed as an admission of the Applicants or Attorneys for the Applicants that such references are available as "prior art" against the subject

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application.

The Applicants respectfully request that the Examiner review the foregoing references and that the reference be made of record in the file history of the application.

Applicants believe the fee for filing this Information Disclosure Statement is \$180.00. A credit card form is attached providing for the \$180.00 fee for the filing of the IDS in accordance with 37 C.F.R. 1.17(p).

Respectfully submitted,

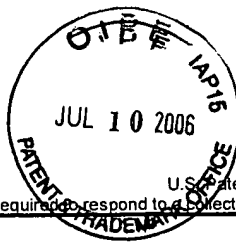
Date:

July 18, 2006

By:

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PTO/SB/08B (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		<b>Complete if Known</b>	
		Application Number	09/717,057
		Filing Date	November 21, 2000
		First Named Inventor	Michael Brines
		Art Unit	1647
		Examiner Name	DeBerry, Regina M.
Sheet 1	of 1	Attorney Docket Number	10165-010-999

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	FL	MIU et al., Behavioral Brain Research, 2004, 223-229, 155	
	FM	STURM et al., Recombinant human erythropoietin: effects on frataxin expression in vitro, European Journal of Clinical Investigation, 2005, 711-717, 35	
	FN	ERBAYRAKTAR et al., Carbamylated erythropoietin reduces radiosurgically-induced brain injury, www.molmed.org, July 2006	
	FO	S JUUL, Erythropoietin in the central nervous system, and its use to prevent hypoxic-ischemic brain damage, Acta Paediatr Suppl, 2002, 36-42, 438	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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